

The Commonwealth of Massachusetts

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ANNUAL REPORT

OF THE

COMMISSIONERS ON UNIFORM  
STATE LAWS

FOR THE

YEAR ENDING NOVEMBER 30, 1923

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# The Commonwealth of Massachusetts

## FIFTEENTH ANNUAL REPORT OF THE COMMISSIONERS ON UNIFORM STATE LAWS

*To His Excellency the Governor, and the Honorable Council of the Commonwealth of Massachusetts:—*

The Commissioners on Uniform State Laws, appointed under the provisions of Chapter 122 of the General Acts of 1919, submit this their fifteenth annual report.

The Commissioners a year ago recommended the adoption of four of the uniform laws. One of these, viz., the Uniform Limited Partnership Act, was enacted and will take effect January 1, 1924. This law will do away with some of the hardships which exist under the present law. As the law has been for a good many years, a man who intended to be a special and not a general partner nevertheless became liable as a general partner for all the debts of the firm, if he failed to publish notice and file a certificate as required by the statute, General Laws, c. 109. Under the new law the penalty will be much less severe.

### ANNUAL MEETING OF CONFERENCE.

The annual meeting of the National Conference of Commissioners on Uniform State Laws was held this year in Minneapolis, Minnesota, August 22 to August 27, 1923.

The Hon. Nathan William MacChesney of Chicago, President of the Conference, was re-elected as President and Joseph F. O'Connell, Esq. of this Board was elected Vice-President.

Mr. O'Connell continues as chairman of committee on a Uniform Arbitration Act. Hollis R. Bailey of this Board was added to the committee on a Uniform Mortgage Act and Prof. Samuel Williston of this Board was continued as a member of the committee on Commercial Law.

The time of the Conference was largely devoted to the consideration of a Uniform Mortgage Law and a Uniform Arbitration Act. No additional laws were recommended for adoption by the States.

Some of the States have already adopted as many as seventeen of the Uniform Laws. Massachusetts, so far, has adopted only fourteen.

Insofar forth as Massachusetts fails to adopt the uniform laws which are recommended, to that extent it loses the benefit of the work done by this Board and by similar Boards created in all the States.

### STATE RIGHTS.

The doctrine of State Rights is probably as important now as it ever was and perhaps is more important. The adoption of Uniform State Laws is one of the important methods of preserving State Rights. The failure of the Southern States to adopt the Uniform Child Labor Law led the National Child Labor Association to resort to the Federal Government to secure a Federal child labor law. Congress has twice enacted a federal child labor law and the United States Supreme Court has declared each of these laws unconstitutional. An effort will probably be made to amend the United States Constitution and take away from the States the power they now have to legislate as to child labor, and give this power to the Federal Government. The National Conference of Commissioners on Uniform State Laws is really working all the time to maintain the doctrine of State Rights. Its work, however, will not be accomplished unless the States co-operate by adopting the uniform laws which are recommended by the Conference.

## LEGISLATION RECOMMENDED.

The Commissioners on Uniform State Laws this year recommend the adoption of two uniform laws, viz.:—

1. *The Uniform Fraudulent Conveyances Act.*

This act has already been adopted in eleven States. To some extent it is supplementary to the uniform partnership act adopted two years ago. If enacted in Massachusetts it will remove troublesome uncertainties which now exist.

2. *The Uniform Conditional Sales Act.*

This act was approved by the Conference in 1918. It has been enacted in eight states and embodies the law which is in force in a large number of States.

## FINANCIAL STATEMENT.

Amount of Appropriation . . . . .	\$750 00
Amount of Additional Appropriation . . . . .	75 00
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	\$825 00
Paid Samuel Williston, traveling and other expenses . . . . .	\$184 82
Paid Joseph F. O'Connell, traveling and other expenses . . . . .	334 49
Paid Hollis R. Bailey, traveling and other expenses . . . . .	186 52
Paid contribution towards expenses of National Conference . . . . .	100 00
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	\$805 83
Unexpended balance . . . . .	19 17
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	\$825 00

HOLLIS R. BAILEY,  
SAMUEL WILLISTON,  
JOSEPH F. O'CONNELL,  
*Commissioners.*